

FARMINGTON CITY PLANNING COMMISSION

Thursday, June 14, 2007

PLANNING COMMISSION STUDY SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Paul Barker, Rick Wyss, City Planner David Petersen, Recording Secretary Jill Hedberg, Alternate Planning Commission Members Randy Hillier and David Safeer. Cory Ritz was excused.

Chairman Talbot called the meeting to order at 6:30 P.M. The following items were reviewed:

Agenda Item #1: Review of Minutes

The Planning Commission reviewed the minutes from the May 24, 2007, Planning Commission meeting.

Agenda Item #3: Public Hearing: Trophy Land Development - Applicant is requesting a recommendation for schematic plan approval for a 32 lot subdivision on approximately 21.43 acres located on property at the southwest corner of State Street and 650 West in an AE Zone

Jared Hall reviewed the Background Information that was included in the Planning Commission packet. According to the City Attorney's office, the City cannot waive the conservation requirements unless it receives something of "equal value" from the developer. The developer suggested that he provide larger lots along the creek, but it has since been found that the lots would have to be larger than the proposed size in order to qualify as conservation lots. It was suggested by City staff that the developer sell the City a portion of the property that is adjacent to the City park at a reasonable price in order to compensate for a waiver of the conservation requirements.

Rick Wyss questioned why the City does not change the underlying zoning.

Jared Hall said that would be an acceptable long-term solution and it would likely be accepted by the residents in the area.

David Safeer expressed concern that if the underlying zoning is changed, it may allow for a higher density than is currently being proposed.

Kevin Poff expressed concern about a residential development being located so close to the jail, especially since the open space that would have provided a buffer between the two areas has been eliminated from the plan.

The Planning Commission considered the different alternatives to create a plan that would be acceptable to the developer, the City and the local residents including the possible solution whereby the developer could sell the triangular property to the City and provide a second access to the City park.

Agenda Item #4: Public Hearing: America West Developers LC - Applicant is requesting a recommendation for change of zoning from A (Agriculture) to TOD (Transit -Oriented Development). The subject property is 64 acres located at approximately 1180 West Clark Lane

Jared Hall reviewed a portion of the “Background Information” that was included in the Planning Commission packet. City staff recommends that the Planning Commission table consideration of the zone change request to allow the City to review the information that was provided by the developer, as well as to allow the reviewing agencies to provide their comments to the City.

Chairman Talbot stated that he is hesitant to change the zoning of the property until the City is certain how Station Park will be developed.

Jared Hall informed the members of the Planning Commission that staff did not intend to portray a negative tone when drafting the packet material. Not to suggest that this developer is not capable of meeting the standards of Station Park.

Agenda Item #5: Garbett Homes (Farmington Crossing) - Modification of Final Master Plan - Consideration of a proposal by the developer to modify building elevations and trail alignment. 850 North Shepard Creek Parkway in a C zone. (S-28-05 and S-30-05)

Jared Hall reviewed the information that was provided in the Planning Commission packet. He explained that City staff would prefer that the trail detour from its proposed alignment so the trail is not behind the units. According to a City consultant, the proposed building elevations are acceptable but they may be dated in twenty years.

In response to a question from **Rick Wyss**, **Jared Hall** said the size of the units will remain unchanged. The purpose of the change is to allow the developer to construct a different style of unit.

Kevin Poff said the developer has always planned to provide the trail so he questions why the developer is now concerned about the trail being located near the units.

The meeting adjourned at 6:58 P.M.

PLANNING COMMISSION REGULAR SESSION

Present: Chairman Jim Talbot, Commission Members John Bilton, Andrew Hiller, Kevin Poff, Cory Ritz, Paul Barker, Rick Wyss, City Planner David Petersen, Recording Secretary Jill Hedberg, Alternate Planning Commission Member David Safeer.

Chairman Talbot called the meeting to order at 7:00 P.M. **Paul Barker** offered the invocation.

APPROVAL OF MINUTES

John Bilton moved that the Planning Commission approve the minutes of the May 24, 2007, Planning Commission Meeting. **Andrew Hiller** seconded the motion. The Commission voted unanimously in favor. **Paul Barker, Rick Wyss** and **David Safeer** abstained since they were not present at that meeting.

CITY COUNCIL REPORT

Jared Hall informed the Planning Commission that the City Council agenda did not include items that effect the Planning Department.

PUBLIC HEARING: TROPHY LAND DEVELOPMENT - APPLICANT IS REQUESTING A RECOMMENDATION FOR SCHEMATIC PLAN APPROVAL FOR A 32 LOT SUBDIVISION ON APPROXIMATELY 21.43 ACRES LOCATED ON PROPERTY AT THE SOUTHWEST CORNER OF STATE STREET AND 650 WEST IN AN AE ZONE (S-6-07) (Agenda Item #3)

Background Information

Review:

The Planning Commission reviewed an application for Zone Change and Schematic Plan for this project in April. At that time, the Commission recommended the change of zoning (from A to AE) but tabled the schematic plan.

The zone change recommendation was forwarded to the City Council. In reviewing, they tabled the zone change and gave the applicants some direction as to what they felt would be an acceptable schematic plan.

The applicants attempted to redesign again, based on those comments and the others they have received from the Commission and local residents. The resulting, current schematic is 32 lots, all at least ½ acre, with the elimination of open space except a trail extension along 650 West for

equestrian users. The current schematic also includes a street that would run along the south property line, making it possible for the city to connect to our planned park in that area and provide a second access to that property.

Schematic Plans:

Staff has attached copies of each of the schematics that have been proposed thus far to this report. Following is a description of each one:

1. The original proposal (labeled 1st Submission, 2006) which was denied. It was a proposal for mansion homes, 3 units each (90 total) with several single family lots as well.
2. The second plan is the yield plan created when the developers came back to the City with a conservation subdivision application this year. All subsequent schematics are based on this yield plan.
3. "Schematic Plan, April 12". This plan was the first redesign after the new conservation subdivision application which was tabled on April 12th, 2007 by the Commission.
4. "Schematic Plan, April 26". Taking some directions given when tabled on 4/12, the developers redesigned the plan, placing 21,000 square foot lots along 650 West and dropping one lot. This schematic was tabled but the change of zoning was recommended for approval.
5. "Schematic Plan, May 11". This is a redesign, based on the comments and direction from the April 26 Planning Commission hearing. The City Council saw this schematic when they reviewed the recommended zone change from the Commission. It includes 34 lots, mostly ½ acre and an unimproved trail (equestrian) along 650 West, all homes oriented interior to the subdivision. The zone change was tabled by the Council and they directed the applicants to produce a schematic that the Commission would support.
6. "Schematic Plan, June 14th". This is the latest submittal, based on comments from the Council. It shows 32 lots, a street that may provide a connection to the City's park, and a "park" in the southeast corner of the project along the unimproved equestrian trail along 650 West. All lots in the subdivision are at least ½ acre and all are oriented to the interior.

Conclusions:

The last June schematic plan was recently reviewed by the City Attorney's office. Approval of this latest schematic plan would require a waiver of the conservation requirements. The Attorney's determined that the City could not waive that requirement unless it received

something of “equal value” from the developer. In other words, if we want to waive the conservation easement requirement, we have to get something else instead. Staff cannot suggest that the Commission recommend approval of the latest schematic, notwithstanding the fact that it represents what most parties have been asking for in this case.

END OF PACKET MATERIAL.

Jared Hall reviewed the “Background Information” that was included in the Planning Commission packet. He displayed the revised schematic plan and explained how it is different from the previous plan. Although the proposed plan is preferred by the City and the local residents, it is not allowed by the City Ordinance unless the developer provides an exchange of equal value to the City. He said the Planning Commission should consider the following options:

- Determine a trade-off that would benefit the City in exchange for the waiver. An option would be for the developer to sell the City the triangular piece at a reasonable price to be used as part of the City park.
- The base requirements of the underlying zoning could be changed by ordinance.
- Consider approving one of the schematic plans that were previously submit to the City. City staff is supportive of the schematic plan dated April 26, 2007.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Bill Pepperonie (758 South 400 East, Orem) said Trophy Homes is accepting of any of the options that were suggested by City staff.

[**Cory Ritz** arrived at 7:15 p.m.]

Roger Eggett (612 South 650 West) commended the developers for revising their plan to meet the needs of the City and its residents.

Eric Oldroyd (558 West 350 South) said he is accepting of the proposed plan but questioned whether the Legacy Highway connection will effect this developer and their proposal.

Niels Plant (311 South 650 West) questioned whether this is the final proposal or if there will be other proposals in the future.

Chairman Talbot said the developer is presenting this plan to make the City aware of their intention to provide ½ acre lots, as was requested by the residents in the area.

Mr. Plant commended the developer for listening to the residents and for keeping the area agricultural. He said he is supportive of this plan.

Kelly Maxfield (121 South 650 West) said he appreciates the developer for submitting a proposal in response to the resident's comments. He said he is concerned that the property will have to be zoned commercial if the Legacy Highway connection is located in this area.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

Kevin Poff said he is concerned about a residential development being located so close to the jail since it may pose a safety hazard to the residents. If the City allows the property to be developed with a residential component, this appears to be an acceptable plan that meets the needs of the residents and may also benefit the City.

Andrew Hiller said he is in favor of conservation subdivisions but realizes that it is important to consider the needs of the residents in the area.

Chairman Talbot reminded the members of the public that this plan does not meet the City Ordinance, so the Planning Commission will not act on it.

Jared Hall said the City would receive a comparable value for the conservation requirement waiver if the developer were to provide property adjacent to the City park to provide a second access. If the Planning Commission so desires, they could approve the schematic plan subject to the City and the developer reaching an agreement regarding the transfer of property.

Bill Pepperonie said he understands that Trophy Homes would have to offer the property at a reasonable price to offset the open space requirement. They originally planned for 2/3 of the road to be on their property and 1/3 of the road to be on the neighbor's property. If those property owners are willing to provide their portion of the right-of-way, Trophy Homes would be willing to build the entire road at Trophy's expense at this time.

Cory Ritz commended the developer for creating a plan that considers the needs of the residents. He also commended the residents for expressing their concerns and their willingness to consider a plan that may be out of the ordinary.

Chairman Talbot recommended that the Planning Commission grant schematic plan approval since the residents are accepting of the plan, the developer is willing to negotiate with the City to incorporate the triangular piece as part of the park and the developer is also willing to

construct the road if the adjacent property owners are willing to provide the right-of-way.

Jared Hall also recommended that the Planning Commission approve the schematic plan since it appears the land negotiation can be accomplished.

Motion

Cory Ritz moved that the Planning Commission recommend schematic plan approval subject to the City and the developer reaching an agreement regarding the open space waiver in exchange for the City purchasing the triangular property, and the City and developer resolving the issues regarding the construction of the road. **Paul Barker** seconded the motion, which passed by 5 to 1.

Kevin Poff stated that he was opposed to motion since he does not think it is appropriate for a residential development to be located in such close proximity to the jail.

Findings

- The developer is willing to consider selling the City land to be used as part of the City park in exchange for the open space waiver.
- The developer is willing to build a complete road if the adjacent land owners are willing to provide the right-of-way.
- The schematic plan includes trail provisions for the equestrian users.
- The developer has responded to the concerns of the neighbors by providing ½ acre lots which are as large or larger than that of the surrounding subdivisions.
- The conservation subdivision requirements are being met even though the property was rezoned AE.

PUBLIC HEARING: AMERICA WEST DEVELOPERS LC - APPLICANT IS REQUESTING A RECOMMENDATION FOR CHANGE OF ZONING FROM A (AGRICULTURE) TO TOD (TRANSIT-ORIENTED DEVELOPMENT). THE SUBJECT PROPERTY IS 64 ACRES LOCATED AT APPROXIMATELY 1180 WEST CLARK LANE (Agenda Item #4)

Background Information

America West will be applying separately for another zone change on adjacent properties to the north and south of this application. Ultimately they plan to develop the properties in unison as a transit oriented development. The plans conceptually involve medium and higher density housing projects, and commercial uses to relate to and support the proposed Station Park development (which will be on adjacent properties in this area). In working with the developer, staff had noted some cursory issues with their very general proposal. These questions are

contained in a memo from the planning staff to the developer. The developer responded with two rough concept plans and statement.

Staff received the full response only very recently, and has not been able to perform a full review nor obtain reviews from other agencies such as engineering and fire. The zone change was noticed for public hearing in advance, and the item was placed on the agenda. Staff does still, however, recommend that the Planning Commission table the item.

General: While the City's General Plan for land use would support the requested change of zoning (calling for Transportation Mixed Use in this area) staff still does not have enough information to make a recommendation to the Commission for a change of zoning. The plans submitted have not been reviewed and are not of sufficient detail for a meaningful review by entities such as engineering or fire.

Considerations: In considering a change of zoning to the TOD, and for purposes of providing some cursory direction to the applicants regarding the associated conceptual proposals, the Commission should consider several factors including but not limited to:

1. *Density.* What are the densities proposed for the residential areas and how do they relate to the densities in the area - both proposed in Station Park and in surrounding western Farmington? The Commission should consider what mixing of densities is appropriate since this TOD area should act as a transition from the core TOD to the rest of the area.
2. *Form:* Massing and heights of buildings will also be of particular concern in this proposed zone, since allowances exist in the TOD.
3. *Land Uses:* The types of commercial proposed and their appropriate relation to the project and the area need to be available for consideration. America West is proposing a "secondary" TOD, which by ordinance is intended to enhance and support the "core" (in this case, Station Park).
4. *Wetlands:* While a report by Stantec has been provided giving some preliminary indications about the area, a full wetland delineation for the property approved by the US Army Corp of Engineers will be necessary. Are the concepts presented by the applicant possible if any wetlands identified cannot be delineated off-site/
5. *Access:* The developer proposes to achieve primary access to the property from Park Lane. This may not become a reality in the short term because the subject property is not adjacent to Park Lane. The road must cross property owned by the White Family and DML Property. Will the proposed development be successful without adequate access? Even if primary access is achieved, is the spacing of the

intersection adequate in relation to the Station Park intersection on Park Lane? If not, will Park Lane and the I-15 interchange prematurely fail?

6. *Secondary Access:* The primary road leads north to Burke Lane across areas which appear to be inundated with wetlands. Can this road be constructed - and if not, does the development generate too much traffic for the southern connections? (Remember that dead-end street standards exist in Farmington). If yes, what is the timing of this secondary road to the north (when will it be built)? When will an extension of Burke Lane be pushed further north to accommodate the developer's proposal?
7. *Gas Lines:* Where are the gas lines? Are the buildings too close for these lines?
8. *Concept Utility Provision:* The concept plan is lacking pertinent information such as how it will be served by sanitary sewer. Also, who is the secondary water provider and how will they service the site? What are the storm-water needs and how will they be met? What are the needs identified by other utility providers (this is a big project).
9. *Rezone Issues:* An area of this size may be re-zoned, but if a project of this magnitude cannot be successful due to problems related to the aforementioned Issues, the City will be doing a disservice to the owner and the community by prematurely rezoning the area, which may result in an inferior development not compatible with Station Park, the area in general, or the goals of the applicant.

END OF PACKET MATERIAL.

Jared Hall reviewed the Background Information. He displayed an aerial photo and pointed out where the property is located. City staff does not recommend that the Planning Commission rezone the property at this time since they have not been able to review all of the information pertaining to the project. City staff would also like to be able to consider a more detailed schematic plan to determine whether it is consistent with Station Park.

In response to a question from **Chairman Talbot**, **Jared Hall** said it appears the road configuration from the project will be acceptable but the City has only engaged in broad discussions with **Mr. Martinez**.

Public Hearing

Chairman Talbot opened the meeting to a public hearing and invited the applicant to address the Commission.

Ron Martinez (America West Developers, LC - 5019 Skyline Drive, South Ogden) explained that they have owned the property for a long period of time but they waited to submit their rezone application until the City was finished working with CenterCal and UDOT regarding the other properties in the area. He now thinks he should have submitted his application prior to this time. They are only submitting a conceptual plan to make the City aware of their intentions for the project. Their goal is to maximize the value of their ground while working with the City to create an attractive project that all parties will be proud of. He explained that UDOT has not expressed concern regarding the proposed road alignment. The connectivity this development will provide will also help mitigate road issues for CenterCal.

Mr. Martinez said he is a smaller developer but has attracted a fantastic team of experts, three of which are residents in Farmington who have served on the Planning Commission and City Council. He asked that the Planning Commission grant the rezone request so he can proceed and address the larger issues as the development transpires.

Ryan Mills (Transportation Engineer for America West Development LC) - 2364 North 1450 East, Lehi, said he has worked with the City in the past to help create the City's Master Plan. He responded to the Planning Commission Staff Report by making the following points:

- It appears that the Station Park site plan gone from a vertical use to a horizontal use. The residential component is now missing from the plan so America West plans to work with UDOT and UTA by increasing the density in the area.
- The America West project will benefit the area by providing another access which will create better traffic flow and will also help to drain the water in the area.

Mr. Mills displayed a concept plan. He explained that the plans are only conceptual and will be refined at the appropriate time. He requested that the property be rezoned prior to the plan being refined.

Todd Jones (1077 South Crochet Lane, Kaysville) said he controls the 14.5 acre property that is located between the CenterCal property and the Martinez property. He has owned the property for the past ten years and is very interested in seeing a first class regional development in the area. He is in favor of the property being rezoned since it will increase his ability to attract national restaurant chains to develop on his property. He is also in favor of the second connectivity road since it will alleviate a large amount of traffic in the area.

Kevin Poff asked if **Mr. Jones** is working with CenterCal to create a unified project.

Todd Jones said they plan to develop their own property but they are working with CenterCal regarding the road configurations, easements, etc. The projects will be consistent so the public will not be aware that there are two separate projects.

Public Hearing Closed

With no further comments, **Chairman Talbot** closed the public hearing. The Commission members discussed the issues, including the following points:

Kevin Poff said he does not doubt the quality of the project but he is extremely concerned that Park Lane will become congested like the intersection that is located near the Layton Hills Mall. He does not think the City is doing their due diligence to alleviate the traffic congestion in this area. He is concerned that the west Farmington residents will be stranded because of the high traffic volume near Station Park. He recommended that a pedestrian access be provided across Park Lane so the residents will be able to access the rail stop.

Cory Ritz said it is not known at this time how many wetlands exist on this property since they have not yet been delineated. The proposed density seems too high since the City's most dense project is only 14 dwelling units per acre. He said a major issue facing the project is the Legacy North connection. The City should protect its neighborhoods and demand that UDOT keep the Legacy connection in the Legacy corridor. Otherwise, all of the efforts made by the City will be nullified. He informed **Mr. Mills** that it is not appropriate to work the City against UDOT.

In response to a question from **Kevin Poff**, **Cory Ritz** said UDOT is still considering aligning the corridor along the D&RG. There are other proposals that have not yet been considered. If the alignment is located along I-15, it will impact Station Park. If the City and State are concerned that Park Lane will fail in the future, they should admit it is not adequate and it should be rebuilt (as was done with the Cherry Hill intersection).

Andrew Hiller said the properties should have a sense of cohesiveness. He questioned whether the projects will be consistent and upscale. He suggested that **Mr. Jones** and **Mr. Martinez** work together so the properties do not appear to be segmented.

As requested by **Paul Barker**, **Ron Martinez** pointed out which properties he has under control. There are seven acres between his property and Park Lane. They made an offer on the Adams' property. He is willing to work with the other property owners in the area to make the projects look "seamless." Although they are proposing 18 units per acre (which meets the zone Ordinance), they will still attempt to create an attractive ambience. If the Legacy North connection is located along the D&RG, it will effect the value of their development but it does not mean their project will be unattractive or poorly built. **Mr. Martinez** said has not provided a site plan because he wants to be certain he can deliver what he promises.

Chairman Talbot said at some point in time, the property will likely be rezoned TOD but he does not think the rezone is necessary for the applicant to create the site plan. He is not

opposed to the proposed project but he would like to make certain that the Station Park project is developed as the developer said it would be. It would also be in the best interest of all parties involved to know where the Legacy connection will be located before the City allows additional development.

John Bilton said according to Chapter 18 of the Ordinance, the developer would have the ability to approach potential tenants if the property is rezoned. It appears that over time, the developer has the ability to resolve the concerns of the City. He expressed concern regarding the traffic issues, the pedestrian access, and the fact that the location of the UDOT connection is unknown. He said he is in favor of rezoning the property since it may send a small message to UDOT that the City is moving forward by allowing development in the area.

Chairman Talbot reminded the Planning Commission members that City staff does not recommend that the property be rezoned until the reviewing agencies have had time to comment on the project.

Cory Ritz stated that the unresolved issues can be addressed during the schematic plan process.

Motion

John Bilton moved that the Planning Commission recommend that the property be rezoned from Agriculture to TOD. The project must receive an acceptable review from the engineering and fire agencies prior to the rezone being considered by the City Council.

In response to a question from **Kevin Poff**, **John Bilton** stated that the motion is not subject to the City approving a specific plan for the property.

Cory Ritz seconded the motion which passed by a 5 to 2 vote.

Kevin Poff said he voted against the rezone since the motion did not state that the rezone is subject to a specific plan being approved. The City is not certain what the next proposal will be if this developer does not develop on this property.

Chairman Talbot said he voted against the rezone since he would like to be more certain what type of project CenterCal will develop. He would also prefer that the reviewing agencies comment on the project prior to the rezone request being granted.

Findings

- The rezone is in keeping with the City's General Plan. This specific property will be a secondary piece in the TOD corridor.

- Creates an opportunity for the developer to engage in more serious negotiations with potential tenants and adjacent property owners.
- Adds to the City's ability to provide continuity.
- Provides the City with additional leverage when working with UDOT.

GARBETT HOMES (FARMINGTON CROSSING) - MODIFICATION OF FINAL MASTER PLAN - CONSIDERATION OF A PROPOSAL BY THE DEVELOPER TO MODIFY BUILDING ELEVATIONS AND TRAIL ALIGNMENT. 850 NORTH SHEPARD CREEK PARKWAY IN A C ZONE (S-28-05 AND S-30-05) (Agenda Item #5)

Background Information

The City received a request from Garbett Homes regarding issues related to the Farmington Crossing project as set forth in a letter from Noel Ballstaedt to David Petersen dated June 1, 2007. Staff offers the following comments which correspond to the issues identified in the letter:

A. Farmington Crossing North Site Plan and Elevation Changes.

One goal for the overall project regarding building elevations is that not all 510 dwelling units should be the same. Hence, the southern 257 units were different in style and other characteristics than the northern 253 units. The new building elevations proposed by Garbett for the north phase allows the development to continue to meet this goal.

B. Farmington Crossing Trail Realignment (South End).

The location for the perimeter trail around the Farmington Crossing development was established by agreement in 1996. Upon inspection of the site by City staff, a representative of the Farmington Trails Committee, and Noel Ballstaedt, it appears that the realignment issue raised by Garbett Homes affects six (6) attached homes next to the western boundary of property owned by Milo Kirkham, et. al. The agreement contemplates that the trail will be located on the Kirkham property and in the event Davis County does not obtain this property (which so far is the case in this situation), the trail must be located on the eastern edge of the property controlled by the applicant. The current trail alignment as shown on the approved Farmington Crossing site plan is consistent with the agreement. The applicant constructed his attached homes in close proximity to the trail and is now requesting that the trail be realigned. Furthermore, as per another later agreement, the trail must be widened to ten (10) feet and constructed to greater standards than originally anticipated to allow access for large County dump trucks thereby enabling the County to maintain their property.

Garbett Homes suggests that the trail be re-aligned to property already owned by the County and UDOT and the Burke Lane right-of-way (an "outer" perimeter trail) - apparently the County no longer needs the existing perimeter trail alignment for maintenance purposes.

C. Proposed Trail Head and Mini-Park

The trail head proposed near the Maverick is a good idea so long as pedestrian connections internal to Farmington Crossing remain intact as shown on the final master plan for the project. The trail head will help the public know that they are also welcome to use the perimeter trail and that this trail is not just for the residents of the Farmington Crossing development. However, the trail head will require approval of the property owners involved as well as conditional use approval by the City.

D. Fishing Pond.

This also could be a good idea but the City should receive more information from the developer and the Division of Wildlife Resources (DWR) to enable a more informed dialogue regarding the matter.

END OF PACKET MATERIAL

Jared Hall reviewed the “Background Information” and “Suggested Motions” that were included in the Planning Commission packet.

Noel Ballstaedt (8501 Tallis Drive, Sandy) passed out a packet illustrating the different architectural designs Garbett Homes has presented to the City. The packet also included an illustration of the possible trail configurations. Garbett Homes is proposing that the unit type be changed from a condo to a town home since the condo style unit is too costly to build and too complicated to finance. It was also difficult to receive approval from the City for the condos. The units will be side by side rather than on top of each other.

Mr. Ballstaedt explained how they would like the trail aligned and where the trail head will be located. The area near the trail head will include parking stalls and a picnic area. Maverick has approved of this proposal and feels it will be a nice amenity for the community. Garbett Homes still plans to improve the corner property and donate it to the City.

Chairman Talbot asked how the developer is acquiring the property to be used for the trail.

Noel Ballstaedt said all of the trails are located on City or County property. They are following the County’s recommendation regarding the trail by aligning it away from the residences and providing a bigger loop. Garbett Homes also plans to asphalt the trail and providing striping.

Chairman Talbot asked if the adjacent property owners are aware of the proposed trail realignment.

Noel Ballstaedt said he does not think the opinion of the adjacent property owners has changed since previous discussions. He believes the adjacent property is currently under contract.

Paul Barker questioned whether the trail will prevent access to the adjacent private property.

Noel Ballstaedt explained that neither the trail or their development will ever block access to the private properties. Farmington Crossing has several locations where the residents can access the trail. The proposed trail system will not come within a close proximity to the residential homes as it would have in the past.

Rick Wyss asked when Garbett Homes will landscape the trail head and the other areas they have committed to improve.

Noel Ballstaedt said they planned to have the areas landscaped in April 2007, but they are behind schedule. They have not received approval from the City Council to landscape the pond area. They plan to approach the City Council one last time in an attempt to receive approval.

Cory Ritz said the pond area is dangerous. If the developer is willing to improve it, the City should allow it.

Noel Ballstaedt explained how the site plan has been amended. He said the road was straightened out and the courtyard units were altered. Their plan now includes one less unit.

In response to a question from **John Bilton**, **Noel Ballstaedt** said the patio buildings will no longer have rock or brick. They will now use more hardy plank and stucco. The courtyard units will remain the same.

Rick Wyss asked if the town homes will sell for more or less than the condos.

Noel Ballstaedt said the patio homes will be larger so they will sell for more. However, the price per square foot will be less. The sales price will range between \$170,000 to \$250,000.

In response to a question from **Kevin Poff**, **Noel Ballstaedt** said Garbett Homes has added more visitor parking stalls.

Rick Wyss asked **Mr. Ballstaedt** to address the issue regarding the units being rented.

Noel Ballstaedt said they continue to fight legally with those who want to bend the rules but they are still holding firm. They are not selling the units to investors.

Paul Barker asked why the Trails Committee is opposed to the proposed trail alignment.

Jared Hall stated that the Trails Committee prefers that the trail remain continuous without traveling onto existing surfaces.

Noel Ballstaedt said the representative from the Trails Committee who visited the property was opposed to the trail being asphalt. They disagreed as to whether the asphalt or dirt surface is better for runners.

Jared Hall said the County prefers that the trail be 10' wide so their vehicles can travel on it for maintenance purposes. The realignment provides 10' wide sections that could be used for maintenance. The City Planner prefers that certain areas of the trail be 6' wide instead of 10' wide.

Chairman Talbot said he prefers longer trails and trails that do not travel past homes.

Jared Hall displayed photos which illustrate how close the trail will be to the units.

After discussing the materials that are being proposed for the exterior of the patio homes, **Noel Ballstaedt** said they will follow the Planning Commission's request and continue to use rock or brick on the patio units.

Motion

Rick Wyss moved that the Planning Commission recommend the City Council approve the new elevations for the northern phase and subsequent changes to the site plan to accommodate the new dwelling styles. The developer will continue to use rock or brick on the exterior of the patio homes, as was originally presented to the City. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Motion

Rick Wyss moved that the Planning Commission approve the location of the perimeter trail (based on the drawings that were included in the Planning Commission packet), including the location of the trail head and the mini-park. **Paul Barker** seconded the motion, which passed by unanimous vote.

Motion

Rick Wyss moved that the Planning Commission recommend that the City Council approve the developer's request to improve the pond area. **Kevin Poff** seconded the motion, which passed by unanimous vote.

Findings

- Garbett Homes has met the conditions they have agreed to in the past.
- The trail will be better aligned but will still travel around the perimeter of the property.
- The town homes will not be on top of each other which will reduce the number of noise issues for the Farmington Crossing residents.
- The trail alignment is consistent with the recommendation that was given by the County.
- The building modification will provide diversity which will be more aesthetically pleasing for a development of this density.

MISCELLANEOUS, CORRESPONDENCE, ETC.

Jared Hall reviewed the information that was included in the Planning Commission packet.

The Planning Commission discussed the Station Park project and directed City staff to update them at the next meeting regarding the proposed site plan and tenants.

ADJOURNMENT

Kevin Poff moved that the Planning Commission adjourn at 9:00 p.m.

Jim Talbot, Chairman
Farmington City Planning Commission